



COCHISE COUNTY

COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

TO: Board of Adjustment, District 2

FROM: Peter Gardner, Planner I

For: Beverly Wilson, Deputy Director, Planning Division

SUBJECT: Minutes of the Regular Meeting of March 6, 2013

DATE: March 25, 2013

Members Present:

Patrick Greene, Chairman
Albert Young

Staff Present:

Peter Gardner, Planner I

Others Present:

Jesus & Martha Luziana, Applicants

These minutes for the BA2 meeting held on March 6, 2013, are complete only when accompanied by the memoranda for said meeting dated March 6, 2013.

Call to Order / Roll Call:

Chairman Patrick Greene called the meeting to order at 6:05 p.m. at the Board of Supervisors' Executive Meeting Room at the County Complex in Bisbee. He noted that two members of the Board were present, establishing that the Board had a Quorum and could proceed. Mr. Greene also noted that a third member, Mr. Andy Salaiz, had been appointed to the Board, but was unable to be present. Mr. Young made a motion to approve the minutes of the January 2, 2013 regular meeting. Chairman Greene seconded the motion, and the vote was 2-0 to approve the minutes of the January 2, 2013 meeting.

Chairman Greene explained the procedures of the meeting to those present.

NEW BUSINESS

Docket BA2-13-01 (Luziana): The Applicants, Jesus and Martha Luziana, request a Variance from Section 704.03 of the Cochise County Zoning Regulations which requires that structures in a TR-9 Zoning District be set back no less than 10-feet from all property lines. The Applicant intends to legitimize and complete an addition approximately 4-feet from the east property line. The subject parcel is located at 430 West Pirtle Ave. in Pirtleville.

Chairman Greene called for the Planning Director's presentation on the Docket. Peter Gardner, Planner I, delivered the report on behalf of the Planning Director, illustrating the facts of the case, as well as the staff recommendation, utilizing photos, maps and other visual aids. He explained the background of the case and the circumstances surrounding the Variance request under consideration. He concluded by offering factors in favor and against approval. As the Applicant was not yet present, Mr. Gardner gave Staff's recommendation of approval.

Chairman Greene noted that the Applicant was not present and prepared to open Board discussion. At this point the Applicants arrived. Due to the Applicant's health and mobility issues the meeting was moved into the Board of Supervisors' Lobby. Mr. Greene explained the process to the Applicant and then declared the Public Hearing open, and called for the Applicant's statement. The Applicant provided a memo from the owner of the adjoining parcel most impacted by the proposed Variance supporting the request, and Chairman Greene read the memo into the record.

Chairman Greene then closed the Public Hearing and called for Board discussion. There was no further discussion and Chairman Greene noted Staff's recommendation of approval. Chairman Greene noted that the only reason to oppose the request was the failure of the Applicant to obtain a permit prior to construction.

Mr. Young made a motion to approve the Variance for the 100-square-foot addition, per the Applicant's submitted diagram. Chairman Greene seconded and the motion passed 2 – 0. Mr. Greene did note to the Applicant that permits are required and any future projects should be permitted prior to construction.

Planning Director's Report:

Mr. Gardner noted incorrectly that there were no dockets for the April meeting.

Mr. Young made a motion to adjourn. Chairman Greene seconded, and the meeting was adjourned at 6:25 p.m.